

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

GIDEON ORUNABOKA WILSON,

Plaintiff,

vs.

JEH CHARLES JOHNSON, Secretary, U.S.
Department of Homeland Security, et al.,¹

Defendants.

Case No. 4:13CV1959 JAR

MEMORANDUM AND ORDER

This matter is before the Court on Petitioner Gideon Wilson's Rule 56(d) Motion to Deny Summary Judgment or Continue Consideration Pending Discovery (ECF No. 8). Therein, Petitioner asks the Court to allow him time to conduct discovery regarding the alleged basis of the denial of his naturalization petition, including the "motives of [Petitioner's] alleged co-conspirator Dwight Holley." (ECF No. 8, ¶19). Petitioner claims that he cannot respond to Respondents' dispositive motion without conducting any discovery. Petitioner requests that the Court either deny Respondents' dispositive motion as premature or grant Petitioner a continuance pursuant to Fed.R.Civ.P. 56(d) to allow him to conduct some discovery. Respondents claim that Petitioner did not comply with the requirements of Rule 56(d) and that no discovery is necessary. (ECF No. 10). The Court finds that Petitioner is entitled to discovery in order to respond to Respondents' dispositive motion.

Accordingly,

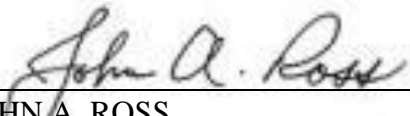
IT IS HEREBY ORDERED that Petitioner Gideon Wilson's Rule 56(d) Motion to Deny Summary Judgment or Continue Consideration Pending Discovery [8] is **GRANTED**, in part.

¹ Jeh Charles Johnson was sworn in as Secretary of Homeland Security on December 23, 2013, and is substituted for Rand Beers as a Respondent pursuant to Fed.R.Civ.P. 25(d).

Petitioner is granted until **July 11, 2014** to conduct any relevant discovery.

IT IS FURTHER ORDERED that Petitioner shall file his opposition to Respondents' Motion to Dismiss Or, in the Alternative, Motion for Summary Judgment [4] no later than **July 25, 2014**. Respondents shall file any reply in support of their Motion to Dismiss Or, in the Alternative, Motion for Summary Judgment [4] no later than **August 4, 2014**.

Dated this 28th day of May, 2014.



JOHN A. ROSS
UNITED STATES DISTRICT JUDGE